

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

ELMER T. PRESTON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-CV-00053
)	
VIRGINIA COMMUNITY)	
COLLEGE SYSTEM,)	
DEFENDANT.)	
)	
Defendant.)	

REQUEST FOR APPROVAL OF ATTORNEY'S FEES

Notice is hereby given to the Court, the Defendant, Counsel for the Defendant, Sands Anderson PC, 1111 East Main Street, Suite 2400, P.O. Box 1988, Richmond, Virginia 23218, Attorney Adam S. Rafal, Esquire, 101 W. Main Street, Suite 500, Norfolk, Virginia 23510, and Plaintiff, Elmer T. Preston, P.O. Box 105, Glade Spring, Virginia 24340, that the undersigned performed services as counsel in the above styled case for the Plaintiff. The Court at Mr. Preston's request terminated my services on February 24, 2025.

Attached is a statement itemizing the services provided for Defendant, the time spent on each service (rounded to the nearest one-tenth of an hour), and the costs advanced. Also attached are receipts documenting the costs advanced.

The itemized statement is summarized below:

Attorney Hourly Rate: \$300.00 per hour pursuant to contract

Attorney Total Hours: 31 hours attached and incorporated herein

Paralegal Hourly Rate: \$90.00 per hour

Paralegal Total Hours: 23.10 hours

Fee Requested: \$ 11,589.00

Costs Requested: \$435.00

Fees and no costs totaling \$12,024.00 are sought for the foregoing services, and approval is hereby requested in accordance with Federal Rules of Civil Procedure Rule 54(d).

This request was mailed by first class mail, postage prepaid, upon Defendant, Elmer T. Preston, P.O. Box 105, Glade Spring, Virginia 24340. Any party may file a written objection to this request for approval no later than ten calendar days after service.

CERTIFICATE

The undersigned hereby certifies that on the 5th day of August 2025, the foregoing was electronically mailed to the following:

Faith A. Alejandro (VSB No. 80076)
Katie M. DeCoster (VSB No. 82696)
Lindsay Bunting Eubanks (VSB No. 94686)
SANDS ANDERSON PC
1111 East Main Street, Suite 2400
P.O. Box 1998
Richmond, Virginia 23218
Telephone (804) 648-1998
Facsimile (804)783-7291
Counsel for Defendant

/s/ Cerid E. Lugar

Cerid E. Lugar

**INVOICE**

Invoice # 1257
Date: 08/05/2025
Due On: 09/04/2025

Lugar Law

PO Box 8834
Roanoke, VA 24014

Elmer T. Preston
PO Box 105
Glade Spring, VA 24340

Preston, Elmer-02127**“TYRONE” ELMER T. PRESTON v. VIRGINIA HIGHLANDS
COMMUNITY COLLEGE**

Type	Date	Notes	Quantity	Rate	Total
Expense	12/05/2023	Filing fee	1.00	\$405.00	\$405.00
Service	12/05/2023	administrative work- scheduling, coordinating with opposing counsel/party	0.25	\$90.00	\$22.50
Service	12/07/2023	administrative work- scheduling, coordinating with opposing counsel/party	0.25	\$0.00	\$0.00
Service	01/02/2024	administrative work- scheduling, coordinating with opposing counsel/party	0.25	\$0.00	\$0.00
Service	01/18/2024	administrative work- scheduling, coordinating with opposing counsel/party	0.25	\$90.00	\$22.50
Service	02/08/2024	administrative work- scheduling, coordinating with opposing counsel/party: Status?	0.25	\$0.00	\$0.00
Service	02/22/2024	Client correspondence	0.25	\$90.00	\$22.50
Service	03/07/2024	administrative work- scheduling, coordinating with opposing counsel/party: Status?	0.25	\$0.00	\$0.00
Service	04/02/2024	document drafting: Document: 20240402_Request for Summons_Preston.docx	0.25	\$90.00	\$22.50
Service	04/02/2024	administrative work- scheduling, coordinating with opposing counsel/party	0.25	\$90.00	\$22.50
Service	04/04/2024	administrative work- scheduling, coordinating with opposing counsel/party: Follow up with Court re Summons	0.25	\$90.00	\$22.50

Service	04/05/2024	administrative work- scheduling, coordinating with opposing counsel/party: Follow up with Court re Summons	0.25	\$90.00	\$22.50
Service	04/11/2024	administrative work- scheduling, coordinating with opposing counsel/party: Follow up with Court re Summons	0.25	\$0.00	\$0.00
Service	05/02/2024	administrative work- scheduling, coordinating with opposing counsel/party: Status?	0.25	\$0.00	\$0.00
Service	05/14/2024	administrative work- scheduling, coordinating with opposing counsel/party	0.25	\$90.00	\$22.50
Service	05/15/2024	administrative work- scheduling, coordinating with opposing counsel/party: Follow up with Process Server	0.25	\$90.00	\$22.50
Service	05/30/2024	administrative work- scheduling, coordinating with opposing counsel/party: Follow up with Process Server	0.25	\$90.00	\$22.50
Service	06/04/2024	administrative work- scheduling, coordinating with opposing counsel/party: Follow up with Process Server	0.25	\$90.00	\$22.50
Service	06/20/2024	document drafting: Document: 20240620_TBR_Agreed Order for Amended Complaint_Preston.docx	0.25	\$90.00	\$22.50
Service	06/20/2024	document drafting: Document: 20240620_TBR_Amended Complaint_Preston.docx	1.00	\$90.00	\$90.00
Service	06/21/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VHCC Proposed Agreed Order	0.25	\$90.00	\$22.50
Service	06/21/2024	document drafting: Document: 20240621_TBR_Amended Complaint_Preston .docx	0.50	\$90.00	\$45.00
Service	06/24/2024	document drafting: Document: 20240624_TBR_Amended Complaint_Preston .docx	1.00	\$90.00	\$90.00
Service	06/24/2024	document drafting: Document: 20240624_TBR_Amended Complaint_PrestonV2.docx	1.00	\$90.00	\$90.00
Service	06/24/2024	document drafting: Document: 20240624_APR_Motion to File Amended Complaint_Preston.docx	0.25	\$90.00	\$22.50
Service	06/24/2024	document drafting: Document: 20240624_APR_Order to File Amended Complaint_Preston.docx	0.25	\$90.00	\$22.50

Service	06/24/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VHCC Motion and Proposed Order to Amend Complaint	0.25	\$90.00	\$22.50
Service	06/25/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VHCC 1:23-CV-00053 Proposed Order to Amend Complaint	0.25	\$90.00	\$22.50
Service	07/02/2024	document drafting: Document: 20240702_TBR_Amended Complaint_Preston.docx	1.00	\$90.00	\$90.00
Service	07/08/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VCCS Amended Complaint	0.25	\$90.00	\$22.50
Service	07/08/2024	Client correspondence: Fwd: Preston v. VCCS Amended Complaint	0.10	\$90.00	\$9.00
Expense	07/10/2024	Process Server: 20240710_PAID_PS_Summons and Complaint_OP_Served 20240520	1.00	\$30.00	\$30.00
Service	07/23/2024	administrative work- scheduling, coordinating with opposing counsel/party: Filings Preston	0.25	\$90.00	\$22.50
Service	07/26/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VCCS Service of Amended Complaint	0.25	\$90.00	\$22.50
Service	08/12/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VCCS Response to Motion to Dismiss Amended Complaint	0.10	\$90.00	\$9.00
Service	08/12/2024	Client correspondence: Fwd: Preston v. VCCS Response to Motion to Dismiss Amended Complaint	0.10	\$90.00	\$9.00
Service	08/23/2024	brief writing	5.00	\$300.00	\$1,500.00
Service	09/04/2024	meeting with client	1.00	\$300.00	\$300.00
Service	09/05/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VCCS September 13, 2024 Hearing	0.25	\$90.00	\$22.50
Service	09/09/2024	administrative work- scheduling, coordinating with opposing counsel/party: Re: Preston v. VCCS September 13, 2024 Hearing	0.25	\$90.00	\$22.50
Service	09/12/2024	hearing preparation	4.00	\$300.00	\$1,200.00
Service	09/13/2024	hearing	7.00	\$300.00	\$2,100.00
Service	10/04/2024	document drafting: Document: 20241004_TBR_Response to Supplemental Briefing_Preston.docx	0.25	\$90.00	\$22.50

Service	10/04/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VCCS Response to Supplemental Briefing	0.25	\$90.00	\$22.50
Service	10/04/2024	Client correspondence: Fwd: Preston v. VCCS Response to Supplemental Briefing	0.10	\$90.00	\$9.00
Service	10/28/2024	administrative work- scheduling, coordinating with opposing counsel/party: Preston v. VCCS Meet and Confer	0.25	\$90.00	\$22.50
Service	10/28/2024	document drafting: Document: 20241028_INFO NEEDED_Joint 26f_Preston.docx	0.25	\$90.00	\$22.50
Service	10/29/2024	administrative work- scheduling, coordinating with opposing counsel/party: Re: Preston v. VCCS Meet and Confer	0.25	\$90.00	\$22.50
Service	10/29/2024	administrative work- scheduling, coordinating with opposing counsel/party: Re: Preston v. VCCS Meet and Confer	0.10	\$90.00	\$9.00
Service	10/30/2024	prep and meet and confer	1.50	\$300.00	\$450.00
Service	11/01/2024	prep and meet and confer	1.50	\$300.00	\$450.00
Service	11/04/2024	Client correspondence: Preston v. VCSS Scheduling Order	0.50	\$90.00	\$45.00
Service	11/20/2024	document drafting: Document: 20241120_INFO NEEDED_Initial Disclosures_Preston.docx	0.50	\$90.00	\$45.00
Service	11/25/2024	doc review	0.50	\$300.00	\$150.00
Service	12/06/2024	call with client	1.00	\$300.00	\$300.00
Service	01/02/2025	administrative work- scheduling, coordinating with opposing counsel/party: Fwd: mediation	0.25	\$90.00	\$22.50
Service	01/06/2025	administrative work- scheduling, coordinating with opposing counsel/party: Re: mediation	0.25	\$90.00	\$22.50
Service	01/08/2025	administrative work- scheduling, coordinating with opposing counsel/party: Re: mediation	0.25	\$90.00	\$22.50
Service	01/10/2025	administrative work- scheduling, coordinating with opposing counsel/party: Re: mediation	0.25	\$90.00	\$22.50
Service	01/14/2025	administrative work- scheduling, coordinating with opposing counsel/party: Re: mediation	0.25	\$90.00	\$22.50
Service	01/16/2025	administrative work- scheduling, coordinating with opposing counsel/party: Re: mediation	0.25	\$90.00	\$22.50
Service	01/20/2025	administrative work- scheduling, coordinating with opposing counsel/party: Re: mediation	0.25	\$90.00	\$22.50
Service	01/22/2025	administrative work- scheduling, coordinating with	0.25	\$90.00	\$22.50

opposing counsel/party: Re: mediation					
Service	01/24/2025	Client correspondence: Preston v. VCCS Reminder - Mediation	0.25	\$90.00	\$22.50
Service	01/24/2025	call with other: oc	0.50	\$300.00	\$150.00
Service	01/31/2025	call with client	1.00	\$300.00	\$300.00
Service	02/10/2025	document drafting: Document: 20250210_Compliance Letter_Discovery Responses_Preston.docx	0.25	\$90.00	\$22.50
Service	02/12/2025	Client correspondence: Re: Preston v. VCCS Reminder - Mediation	0.25	\$90.00	\$22.50
Service	02/18/2025	document drafting: Document: 20250218_TBR_Settlement Conference_Preston.docx	1.00	\$90.00	\$90.00
Service	02/18/2025	document drafting: Document: 20250218_TBR_Motion for Partial Summary Judgment_Preston.docx	0.50	\$90.00	\$45.00
Service	02/19/2025	document drafting: Document: 20250218_TBR_Settlement Conference_PrestonV2.docx	0.25	\$90.00	\$22.50
Service	02/19/2025	document drafting: Document: 20250219_APR_Settlement Conference_Preston.docx	0.10	\$90.00	\$9.00
Service	02/19/2025	administrative work- scheduling, coordinating with opposing counsel/party: Fwd: 1:23-cv-00053-JPJ- PMS Preston v. Virginia Community College System	0.25	\$90.00	\$22.50
Service	02/19/2025	document drafting: Document: 20250219_INFO NEEDED_Discovery Responses_Preston.docx	2.00	\$90.00	\$180.00
Service	02/20/2025	document drafting: Document: 20250220_TBR_Closing Letter_Preston.docx	0.25	\$90.00	\$22.50
Service	02/20/2025	document drafting: Document: 20250220_TBR_Order to Withdraw_Preston.docx	0.25	\$90.00	\$22.50
Service	02/20/2025	document drafting: Document: 20250220_TBR_Motion to Withdraw_Preston.docx	0.25	\$90.00	\$22.50
Service	02/21/2025	mediation prep	2.00	\$300.00	\$600.00
Service	02/24/2025	mediation	6.00	\$300.00	\$1,800.00
Service	02/24/2025	document drafting: Document: 20250224_TBR_Request for Attorney's Fees_Preston.docx	0.25	\$90.00	\$22.50

Total \$11,589.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1257	09/04/2025	\$11,589.00	\$0.00	\$11,589.00
Outstanding Balance				\$11,589.00
Total Amount Outstanding				\$11,589.00

Please make all amounts payable to: Lugar Law

Please pay within 30 days.